IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.39645 of 2008
TARA DEVI
Versus
THE STATE OF BIHAR
W I T H
Cr.Misc. No.39658 of 2008
ASHOK KUMAR SINGH @ ASHOK SINGH
Versus
THE STATE OF BIHAR

2/ 18/11/2008. Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in a complaint case no.369 of 2008 lodged by the brother of the deceased, sent for police investigation under section 156 (3) Cr.P.C. by amalgamating it with Rosera p.s.case no.39 of 2008.

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It is submitted that one Manju Devi lodged Rosera p.s.case no.38 of 2008 against one Mithilesh Singh under sections 376 and 511 of the Penal Code when the accused died during the assault into the house of the informant. For that very occurrence, the Chaukidar lodged another FIR, registered as Rosera p.s.case no.39 of 2008 for the death of the same accused. In both these cases, there is no reference to the petitioners as even being present at the time of occurrence. One month later, the brother of the deceased filed a complaint case when he is now making statement in police investigation of the involvement of

the petitioners also. The submission is of false implication in village politics because of the petitioners being Mukhiya and one co-villager.

Considering the absence of any reference to the petitioners in Rosera p.s.case nos.38 and 39 of 2008, let the petitioners above named surrender in the court below within four weeks from today when they shall be enlarged on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Rosera, Samastipur in Rosera p.s.case no.39 of 2008.

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HR **(Navin Sinha)**